

hunger, or fatigue, nervousness, rheumatism, urinary disorders, swelling of the ankles, gout, diabetes, gallstones, liver trouble, bed wetting, colds, bronchial congestion, and chills. The article was not an adequate and effective treatment for such conditions. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: April 14, 1954. Default decree of condemnation and destruction.

4398. Misbranding of C-Tone. U. S. v. 13 Bottles, etc. (F. D. C. No. 36470. Sample No. 46084-L.)

LABEL FILED: March 30, 1954, District of Rhode Island.

ALLEGED SHIPMENT: The product was shipped on or about January 13 and February 24, 1954, by Balanced Foods, Inc., from New York, N. Y., and a number of circulars were shipped on or about September 13, 1953, from Thrush Press, Inc., from New York, N. Y.

PRODUCT: 13 bottles of *C-Tone* at Providence, R. I., together with a number of circulars entitled "Which Of These Dread Killers Threaten Your Advancing Years?"

LABEL, IN PART: (Bottle) "*C-Tone* The Natural Vitamin C Tonic A splendid aid in quickly correcting conditions caused by deficiency of Vitamin C in the diet. This natural concentrate also supplies other essential nutritional factors as well as generous amounts of Pectin. Four tablespoons furnish: Natural Vitamin C 250 mg. 8 MDR Natural Rutin (Vitamin P Complex) 5 mg.* Natural Vitamin K 1 mg.* Natural Niacin 0.08 mg.** Natural Pectin (Protopectins incl.) 500 mg.* Natural Citric Acid 57 mg.* Natural Chlorophyll 0.01 mg.* and small amount of natural Vitamin B₁ and B₂, Calcium and Phosphorous in a vegetable extract base rich in activated enzymes.

MDR—Minimum Daily Requirement

*Need in human nutrition not established

**Minimum Daily Requirement not established

8 Fl. Oz. Net * * * Sale and Exclusive Distributors Byrne Products, Inc. New York 7, N. Y."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements on the bottle label "*Vitamin C Tonic*" and "rich in activated enzymes" were false and misleading since they represented and suggested that the article was of nutritional and therapeutic value because of its enzyme content and that it was effective as a tonic, whereas the article was of no value because of its enzyme content and was not a tonic.

Further misbranding, Section 502 (a), certain statements in the above-mentioned circular accompanying the article were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for high blood pressure, hardening of the arteries, ulcerative colitis, fading strength, nervous exhaustion, failing memory, cerebral rupture, valvular disease of the heart, pulmonary tuberculosis, general weakness, fatigue, headaches, and dizzy spells, and that it was effective to provide energy and improve digestion. The article was not an adequate and effective treatment for such conditions, and it was not capable of fulfilling the promise of benefit made for it.

DISPOSITION: April 28, 1954. Default decree of condemnation. The court ordered that the product be delivered to a State institution and that the circulars be destroyed.